



11-06-06

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**Express Mail No.: EV 913 330 376 US****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Application of: Cao *et al.*

Confirmation No.: 5365

Application No.: 10/543,033 (nat'l stage of  
PCT/US04/01643, filed 01/21/04)

Group Art Unit: To be assigned

Filed: July 21, 2005

Examiner: To be assigned

For: METHODS FOR IDENTIFYING COMPOUNDS  
THAT MODULATE UNTRANSLATED REGION-  
DEPENDENT GENE EXPRESSION AND METHODS  
OF USING SAME

Attorney Docket No.: 10589-012-999

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.56 AND § 1.97**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the United States Patent and Trademark Office ("USPTO") of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby invite the Examiner's attention to references A01-A32, B01-B05 and C01-C190 listed on the attached form entitled "List of References Cited by Applicants."

Copies of references B01-B05 and C01-C190 are submitted herewith. Copies of references A01-A32 are not submitted herewith because they are U.S. patents or U.S. Patent Application Publications. Pursuant to 37 C.F.R. § 1.98 (a)(2)(i) as amended (*see* Fed. Reg. vol. 69, no. 182, Sept. 21, 2004), the requirement for providing a copy of each U.S. patent or U.S. patent application publication listed in an Information Disclosure Statement in a patent application, regardless of the filing date of the application, was eliminated.

Identification of the listed references is not meant to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. §1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is believed to be due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Jones Day deposit account no. 50-3013. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: November 3, 2006

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Enclosures



**LIST OF REFERENCES CITED BY APPLICANT**  
(Use several sheets if necessary)

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**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
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	A32	2004/0231007	11/18/04	Kastelic et al.	

**FOREIGN PATENT DOCUMENTS**

		FOREIGN PATENT DOCUMENT COUNTRY CODE, NUMBER, KIND CODE (IF KNOWN)	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR	T
	B01	WO 93/20212	10/14/99	Government of the United States of America, as represented by the Secretary, Department of Health and Human Services		
	B02	WO 95/33831	12/14/95	Creative Biomolecules Inc.		
	B03	WO 00/39314	07/06/00	Novation Pharmaceuticals, Inc.		
	B04	WO 02/077609	10/03/02	Message Pharmaceuticals, Inc.		
	B05	EP 1 176 196	01/30/02	Message Pharmaceuticals, Inc.		

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	C64	GENBANK Accession No: NM_0007 84	
	C65	GENBANK Accession No: NM_0007 91	
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	APPLICANT Cao et al.	
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